

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 2, 4, 6 through 13, 15 through 17, and 22 are pending, with Claims 1, 9, and 22 being independent. Claims 5, 14, 18, and 21 have been cancelled without prejudice. Claims 1, 9, 15, and 22 have been amended.

Claims 1 through 25 were variously rejected under 35 U.S.C. §§ 102 and 103 over US 5,949,955 (Nakai), taken alone or in view of US 5,751,887 (Nitta, et al.). All rejections are respectfully traversed.

Claim 1 recites, *inter alia*, instructing a reproduction start of the contents *independently* of a selecting operation, wherein, in response to the selecting operation, the reproducing means reproduces part of the image data of the contents concerning the selected representative image and writes the part of the image data in the memory and the reproduction processing means does *not* effect reading out the written part of the image data from the memory.

Claim 9 recites, *inter alia*, instructing reproduction start *independently* of a selecting operation, with controlling when the menu screen is being displayed by the displaying means so that the reproducing means reproduces part of the image data of the contents concerning *each* of the plurality of representative images displayed on the menu screen and writes the part in the memory, wherein in response to the reproduction start instruction, reading out and outputting the image data of the contents concerning the selected representative image.

Claim 22 recites, *inter alia*, instructing reproduction start *independently* of a selecting operation, with controlling when the menu screen is being displayed by the displaying means so that the reproducing means reproduces the image data of a predetermined amount from each of

the plurality of predetermined reproduction start positions and writes the image data in the memory, wherein in response to the reproduction start instruction, starting to read out the stored image data at the reproduction start position corresponding to the selected representative image.

However, Applicant respectfully submits that neither Nakai nor Nitta, et al., even in the proposed combinations, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1, 9, and 22.

Applicant respectfully submits that Nakai shows, e.g., that upon start of reproduction, a menu screen is displayed to select a reproduction condition such as a contents title, and reproduction follows the selection (e.g., col. 35), i.e., upon selection of the reproduction conditions, the reproduction process is effected to decode reproduced video data; as a result, Nakai fails to teach or suggest at least the above-discussed claimed features including the recitation of providing a reproduction start instruction *independently* of a selection operation with writing into memory in response to the selection operation and reading out in response to the reproduction start instruction in the manner discussed above. And Applicant submits that Nitta, et al. fails to remedy the deficiencies of Nakai.

Applicant further submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above.

Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/  
Attorney for Applicant  
Daniel S. Glueck  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

DSG/mcm

FCHS\_WS 1715680v1